



Ontario
Securities
Commission

Commission des
valeurs mobilières
de l'Ontario

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**IN THE MATTER OF THE *SECURITIES ACT*,
R.S.O. 1990, c. S.5, AS AMENDED**

- AND -

IN THE MATTER OF JOSE L. CASTANEDA

**ORDER
(Section 127)**

WHEREAS on June 20, 2005, the Ontario Securities Commission (the "Commission") issued a Notice of Hearing (the "Notice of Hearing") and Statement of Allegations pursuant to sections 127 and 127.1 of the *Securities Act*, R.S.O. 1990 c. S. 5, as amended (the "Act") in respect of Jose L. Castaneda (the "Respondent");

AND WHEREAS on December 20, 2005, an Information was issued commencing proceedings under section 122 of the Act in the Ontario Court of Justice;

AND WHEREAS the pre-hearing conference in this matter was adjourned on January 11, 2006 and February 27, 2006, in order to allow counsel for the Respondent an opportunity to review the disclosure previously provided by Staff;

AND WHEREAS the matter was spoken to on April 13, 2006, at which time a hearing was scheduled for May 30, 2006, in order for the Respondent to bring an application to adjourn the section 127 and 127.1 hearing until the conclusion of the section 122 proceedings;

AND WHEREAS the Respondent has since been charged with two counts of fraud over \$5,000 and two counts of theft over \$5,000 under the *Criminal Code of Canada* that involve some of the same complainants as the sections 122, 127 and 127.1 (*Securities Act*) proceedings;

2.

AND WHEREAS the Respondent has not yet received disclosure from the Office of the Crown Attorney concerning the *Criminal Code* charges;

AND WHEREAS Staff consent to the adjournment request;

AND WHEREAS a temporary cease trade order was issued against the Respondent on June 7, 2005 and extended on June 20, 2005 until the hearing is concluded and a decision of the Commission is rendered or until the Commission considers appropriate;

AND WHEREAS the Commission considers it to be in the public interest to make this order;

IT IS HEREBY ORDERED that:

1. The hearing is adjourned to July 25, 2006, at 2:30 p.m., to hear an application by the Respondent to adjourn the section 127 and 127.1 Hearing until the conclusion of the section 122 proceedings.
2. The written application materials of the Respondent shall be filed on or before July 11, 2006, and Staff's responding materials shall be filed on or before July 18, 2006.

DATED at Toronto this 30th day of May, 2006.

“Wendell S. Wigle”
Wendell S. Wigle, Q.C.